

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MARK AUSSIEKER, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

GOLDWATER BANK, N.A.; DOES  
1-10, Inclusive,

Defendant.

Case No. 2:22-cv-00851-MCE-DB

**ORDER GRANTING  
STIPULATION TO STAY**

The Court, having considered the Parties' stipulation to Stay pending the Ninth Circuit's decision in *Eggleston*, hereby GRANTS the Parties' Stipulation and ORDERS as follows:

1. This case is STAYED pending the Ninth Circuit's decision in *Eggleston v. Reward Zone USA, LLC*, Case No. 22-55517.
2. The Parties shall file a joint status report no later than fourteen (14) days after the issuance of a ruling in *Eggleston*, addressing the impact of the decision on the litigation of this case.

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3. Defendant's Motion to Dismiss (ECF No. 13) is DENIED without prejudice to renewal, should it be appropriate, once the stay is lifted.

IT IS SO ORDERED.

Dated: August 24, 2022

  
MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE